



**DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES**

**GOVERNOR'S ADVISORY COUNCIL
TO THE DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES**

May 20, 2014

The Governor's Advisory Council to the Division of Developmental Disabilities Services met on May 20, 2014, at the 1056 Woodbrook Conference Room, Dover.

COUNCIL MEMBERS PRESENT: Anthony Horstman, Chair
Timothy F. Brooks, Ed.D.
Thomas Rust
Jamie Doan
Angie Sipple

COUNCIL MEMBERS ABSENT: Terri Hancharick

STAFF MEMBERS PRESENT: Jane Gallivan
Marie Nonnenmacher
Warren Ellis
Marissa Catalon
Vicky Gordy - minutes

GUESTS PRESENT: Vicki Haschak
Linda Cox

CALL TO ORDER: The meeting was called to order at 10:07 a.m.

NEXT MEETING: June 17, 2014 – 1 p.m. – 3 p.m.
1056 Woodbrook Conference Room, Dover

APPROVAL OF MINUTES The minutes from the January 30th, March 18th and April 11, 2014 were approved.

Additions to the Agenda

No additions

Home & Community Based Waiver (HCBW)

The HCBW application was submitted on March 10th. DDDS received an initial set of question in April, which was provided to CMS before the April 24th deadline. Follow up questions were received also on April 24th, which were replied to on May 2nd. The questions were easily answered and non-threatening and did not stop the 90-day timeframe CMS has to approve the HCBW. DDDS anticipates CMS approval by June 10th.

The age limit of 12 was not changed as recommended by the Delaware Disability Council and the Governor's Advisory Council for Exceptional Citizens due to DDDS never having a child below the age of 12 under the HCBW. State funding measures will provide services for youths under 12 years of age.

Substantial changes to streamline the application process were made, which will make the process more efficient. DDDS will develop a presentation to include the application process to ensure the eligibility and authorization process is clear.

DDDS staff members were commended for their commitment to completing assignments related to the HCBW renewal application, with special recognition going to Marie Nonnenmacher, DDDS Deputy Director.

Housing Vacancies

Currently there are 44 vacancies (5.4%); 32 in group/neighborhood homes (13 ARC homes) and 12 in CLA's. Since the beginning of FY14, 57 are placed, 7 have chosen and are in the placement process and 67 are looking for permanent placement. Of the 67 seeking placement 45 received authorization letters and are actively looking for placement; the remaining 22 are new to DDDS via emergency placements. Due to a recent increase in emergency placements, an analysis is being developed to recognize the specifics of emergency placement.

National Core Indicator Survey

Individual's families are receiving many of the same mailings pertaining to the National Core Indicator (NCI) Project. A high volume of family guardian surveys were not submitted, therefore follow up letters were mailed. Reportedly, many addresses are not current. DDDS is striving to correct all contact information. This mass mailing should provide DDDS with statistical information to help improve incorrect mailing addresses. The survey does not ask for identifying information, therefore confirmation of the survey being submitted is not an option. There are reports of residential staff turning away interviewees stating that the person does not want to participate in the survey. University of Delaware students and self-advocates are doing a great job completing face-to-face interviews.

Keystone & the Neighborhood Home Standards

A resident of a Keystone home was sent to the hospital with a fractured neck, was paralyzed and passed away. The initial investigation could not determine the cause although a staff member

was dismissed. After an investigation that included LTCRP and the Attorney General's Office who have other investigating techniques, the case resulted in the arrest of the former Keystone staff member.

This led to multiple discussions with Keystone. DDDS is meeting with Keystone administration and discussing the implementation of improvements. Keystone has experienced high staff turnover in administration staff, which may have played a role in homes not following standards. Currently, Keystone administrators are making unannounced visits in homes during odd day and evening hours to ensure staff are following standards. Keystone is reviewing the agencies reported event status during each home meeting to include discussion of prevention. Keystone has updated hiring practices in terms of the selection process that includes matching co-workers. DDDS will meet monthly with Keystone to follow up on progress, improvements and outcomes.

Dr. Gallucci desires to develop a "culture of safety". This concept usually pertains to institutional settings although may be re-developed for use in a community based services atmosphere, not just for DD but for mental health as well.

DDDS has concerns regarding the outcome of abuse/neglect investigations given to family members of either "substantiated" or "unsubstantiated". Reportedly, in many instances no information is relayed to family member. Recommendations and if agency is following recommendations is not revealed to family. DDDS is developing a group who will review all aspects of Policy Memorandum 46, which may provide parameters of information released to family members, included, but no limited to, episodes of conflict of interest and violation of rights issues. DDDS needs to provide training for individuals/self advocates, providers and family groups regarding reporting complaints and rights.

Electronic Record System Status

The RFP was submitted; a mandatory bidder's conference was held earlier this month with approximately 25 in attendance. The response period was extended until May 23rd due to posting issues. DDDS is putting together a Proposal Review Committee who will be tasked with the reviewing and ranking the proposals. Demonstrations of the system may be completed once narrowed down to three to five proposals.

Family Support Waiver

The Chairman voiced that DDDS staff did an exceptionally good job in the development of the Family Support Waiver (FSW).

Questions raised by the Council included stipend payments, cost comparison (Stockley placement vs. residential placement), and target case management program. The "stipend payment" would be utilized in cases where insurance (private and/or Medicaid) does not cover needed service or item. Yearly institutional cost (\$350K) versus waiver residential costs (80K) was discussed. The waiver costs do not cover room and board. The "target case management" will be a contracted service. DDDS will create a "conflict free" (applicants must not provide any Medicaid/Medicare services) RFP for a private entity to provide target case management. If the

Family Support Waiver is not supported, DDDS intends to continue to develop a targeted case management program.

A solid infrastructure for case management is necessary. A good case management system will make a huge difference in not only the individual's life, but also the entire family's life by working with family to provide a comprehensive plan to include planning future needs. Case management will also provide the family with navigating services (what services are available and the process in which services are obtained).

In order for the Family Support Waiver to support an addition 900 individuals, additional staff (total additional DDDS=6; DMMA=3) request must be granted. If approved, estimated time of implementation would be July 1, 2015.

DDDS is working toward connecting families with parent groups after the eligibility process.

Judge Rotenberg Center

The family members continue being engaged in the fair hearing appeals process. Due to the report that the FDA never approved the electrical devices, the FDA is holding public hearings seeking input. The FDA is questioning why these electrical devices are used on humans, which is a different approach. Testimonials include self-advocates and six to seven different groups testifying why devices should not be approved. JRC claimed treatments are extremely effective, that the most difficult worldwide cases are treated by devices and that they are the only center that offers this type of treatment. DDDS continues to work with the Attorney General's Office.

CMS Rule/Stockley

Jane attended a family meeting at the Stockley Center on May 17th. Families voiced they are prepared to move individuals off the Stockley Campus and/or adjacent property. Three women who have lived together for some time will be moving together to NCC, which is closer to family members. One man has chosen to remain in Sussex County. Other programs are closing naturally. This meeting supported dispelling the myth that the Stockley Center is closing. Adele Wemlinger, Stockley Center Director received recognition for her work.

DDDS is investigating the possibility of renovating vacant housing on/or adjacent to the Stockley Campus (Sussex Co.) and Emily Bissell Campus (New Castle Co.) to be utilized as crisis and/or respite homes.

Providing hiking/biking trails and telemedicine has been determined as the focus for use of Stockley Center's acreage. A collaborative community group (banking industries reps. Legislators, Nemours reps., etc.) meeting was held in April who has funding and grant knowledge/ideas as no additional state funding is available.

Budget Update

DDDS is getting questions from the Controller General's Office about budget requests. Many questions surround the Pathways Program. DDDS was asked to identify unnecessary funding from FY14 to return to general fund and if all FY15 recommended funding is necessary as this budget issue crosses state fiscal years.

Pathways to Employment

Questions from CMS were received regarding the Pathways to Employment program. DDDS is currently working to provide answers to the set of questions. Conference calls were had and are being scheduled with CMS. The Pathways program requested that CMS waive free choice of two services; transportation service (so a broker may be used) and employment navigator services (so state employees may be used). CMS suggested using the "free choice waiver" under the 1915(b)(4) of the Social Security Act. CMS reported that if the "free choice waiver" is used it would be approved expeditiously, which is currently being developed. The state plan amendment that allows Pathways to operate will have a companion waiver that will allow those two services to be offered by a single provider.

Delaware Disability Hub – Save the Date!

The GACEC and Delaware Disability Hub "Save the Date" flyer recognizing the launch of the new transition website on June 26th at Legislative Hall was distributed to the Council.

Announcements and Informational Items

Respite Initiatives – DDDS has contracted with Easter Seals of Delaware to provide respite services. DDDS is seeking a similar contract with Autism Delaware to provide respite services for DDDS autism clients. DDDS will direct new clients eligible for services to Easter Seals for respite services. This will streamline the process and relieve DDDS of administrative function. These are both small contracts that do not require an RFP.

DDDS discovered during family forums that Easter Seals stopped providing family forums in Sussex County due to not getting sufficient responses. DDDS approached Easter Seals to discuss the possibility of contracting with DDDS to provide "Saturday Socials" in both New Castle County and Sussex County. DDDS would pay for a set cost per day to provide "Saturday Socials" for a certain number of individuals. Families would not need to give up respite hours for Saturday Socials. After some advertising, the number of individuals attending increased significantly, therefore capacity/payments, waiting list determination, etc. needed discussion. One Saturday Social per month from 10 a.m. – 3 p.m. at Easter Seals will continue through FY15. This same type of contract is being developed with Autism Delaware, which may support training staff to provide respite services under the DDDS – Autism Delaware contract for respite services. This gives Autism Delaware respite staff a unique perspective and opportunity to meet and get to know supports needs of individuals they may support via respite. Autism Delaware may experiment with providing Saturday Socials now and in the future may highlight specialized

needs during holidays or school breaks. Age limit for Easter Seals participation is over 18; Autism Delaware decides age group.

Facebook – DDDS has permission to develop a Facebook page.

Project with University of Delaware Engineer Students – DDDS contracted with U of D engineer students to provide a small amount of funding to build a changing table for adults in the community. The students went to Stockley Center to learn about individuals that the table would support. Stockley Center's occupational therapy staff worked with U of D students to design. This mobile device is no more than 50 pounds, folds flat but wide, and opens with an automatic curtain for privacy.

Day Services Participation - Marissa Catalon presented a snapshot of day service providers and how many clients are being supported in specific service areas (i.e., day habilitation, pre-vocational services, supported employment and split services) for the time period of February through April 2014.

Adjournment

The meeting adjourned at 11:57 a.m.